IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 17098 of 2000

Between:

P.Parameshwar, s/o Shyamalaya, 38 yrs,

Occ:Business, r/o 18-20,Kosgi, Mahabubnagar District.

..... PETITIONER

AND

1. Commissioner of Prohibition & Excise,

Andhra Pradesh, Hyderabad.

2. Deputy Commissioner of Prohibition & Excise,

Mahabubnagar Division,

Mahabubnagar District.

3. The Station House Officer, Kodangal,

Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of certiorari, call for the records pertaining to File No.C.R.No.2498/DPE/99/B2, dated 25-09-1999 and quash the same and direct the respondents to release the vehicle Indu Suzuki bearing No.AHU-8259 and also direct the respondents to release the bank guarantee dated 24-10-1996 and pass such other order.

Counsel for the Petitioner: Mr.K.V.JAGAN MOHAN REDDY

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

Heard both sides.

In this writ petition, the petitioner is seeking only to assail the orders of seizure of the vehicle, Indu Suzuki, bearing No.AHU 8259. This Court has already released the said vehicle, in view of the orders of this Court in W.P.M.P.21750 of 2000 dated 24-01-2001. Having regard to same, nothing survives in this writ petition.

However, in regard to the availability of the plea as to whether the aspect of involvement of the vehicle in the alleged offence is concerned, the same has to be considered in the main enquiry.

The writ petition is accordingly dismissed. No costs.

(B.PRAKASH RAO,J)

5th August, 2004.

Tsy/mrr

To

1. The Commissioner of Prohibition & Excise,

Andhra Pradesh, Hyderabad.

2. The Deputy Commissioner of Prohibition & Excise,

Mahabubnagar Division,

Mahabubnagar District.

3. The Station House Officer, Kodangal,

Mahabubnagar District.

4. Two CCs to the GP for Prohibition & Excise,

High Court Buildings,Hyderabad (O.U.T.)

5. Two CD Copies.